

## LOTTERY AUTHORITY, IOWA[531]

### Notice of Intended Action

#### **Proposing rule making related to waivers and “easy pick” tickets and providing an opportunity for public comment**

The Board of Directors of the Iowa Lottery Authority hereby proposes to amend Chapter 4, “Waiver and Variance Rules,” and Chapter 20, “Computerized Games—General Rules,” Iowa Administrative Code.

#### *Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code section 99G.9(3).

#### *State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code sections 17A.9A and 99G.21.

#### *Purpose and Summary*

The proposed amendments to Chapter 4 are primarily technical in nature and strike the word “variance” in the provisions that allow for waiver and variance of rules. The amendments also update how the Authority submits summary reports of waivers. The proposed amendment to Chapter 20 updates the Authority’s methods of play for computerized games. The amendment clarifies there is more than one way to purchase an “easy pick” ticket for computerized games.

#### *Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

#### *Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

#### *Waivers*

The Authority is updating how people can purchase an “easy pick” ticket. A waiver is not applicable in this situation.

#### *Public Comment*

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Authority no later than 4:30 p.m. on August 17, 2021. Comments should be directed to:

Megan Tooker  
Iowa Lottery Authority  
13001 University Avenue  
Clive, Iowa 50325  
Phone: 515.725.7851  
Email: [mtooker@ialottery.com](mailto:mtooker@ialottery.com)

#### *Public Hearing*

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental

subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend **531—Chapter 4**, title, as follows:

**WAIVER AND VARIANCE RULES**

ITEM 2. Amend rule 531—4.1(99G) as follows:

**531—4.1(99G) Waiver or variance of rules.** These rules outline a uniform process for the granting of waivers or variances from rules adopted by the Iowa lottery authority.

ITEM 3. Amend rule 531—4.2(99G) as follows:

**531—4.2(99G) Definition.** For purposes of this chapter, “a waiver or variance” means action by the lottery authority board that suspends in whole or in part the requirements or provisions of a rule as applied to an identified person on the basis of the particular circumstances of that person. ~~For simplicity, the term “waiver” shall include both a “waiver” and a “variance.”~~

ITEM 4. Amend rule 531—4.5(99G), catchwords, as follows:

**531—4.5(99G) Criteria for waiver or variance.**

ITEM 5. Amend rule 531—4.13(99G) as follows:

**531—4.13(99G) Summary reports Submission of waiver information.** ~~Semiannually, Within 60 days of granting or denying a waiver, the board shall prepare a summary report make a submission on the Internet site established pursuant to Iowa Code section 17A.9A for the submission of waiver information identifying the rules for which a waiver has been granted or denied, the number of times a waiver was granted or denied for each rule, a citation to the statutory provisions implemented by the rules, and a general summary of the reasons justifying the board's actions on waiver requests. If practicable, the report shall detail the extent to which the granting of a waiver has established a precedent for additional waivers and the extent to which the granting of a waiver has affected the general applicability of the rule itself. Copies of this report shall be available for public inspection and shall be provided semiannually to the administrative rules coordinator and the administrative rules review committee.~~

ITEM 6. Amend rule 531—20.3(99G) as follows:

**531—20.3(99G) Method of play.** If required by the specific game rules, a player must select an appropriate number of the available game variables. A player may select each game variable by marking a play slip and submitting the play slip to a retailer, by asking a retailer to manually enter the game variables, or by ~~verbally requesting~~ purchasing an “easy pick” ticket from a retailer. Players may also purchase game plays from player-activated terminals by use of a touch screen if player-activated terminals are available. A drawing is held in which an appropriate number of the game variables are drawn on a random basis.

This rule is intended to implement Iowa Code ~~Supplement~~ sections 99G.9(3) and 99G.21.